

DEPARTMENT OF SOCIAL SERVICES

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June 17, 1987

ALL-COUNTY LETTER NO. 87- 82

TO: ALL COUNTY WELFARE DIRECTORS  
ALL COUNTY GAIN COORDINATORS

SUBJECT: UNEMPLOYMENT INSURANCE BENEFITS AND GAIN REGISTRANTS

As you know, Manual of Policies and Procedures Section 44-103.242 requires that work-registered Aid to Families with Dependent Children (AFDC) applicants and recipients who are potentially eligible for Unemployment Insurance Benefits (UIB) must apply for, meet all conditions of eligibility for, and accept any UIB for which they may be entitled. Failure to meet this requirement results in denial or termination of AFDC for that noncomplying individual. If the individual is the principal earner, then the entire family is ineligible for AFDC. Some counties have advised the Department that school attendance has been the basis for disqualification or discontinuance of UIB for Greater Avenues for Independence (GAIN) registrants who are participating in certain education activities.

The Department has been working closely with the Employment Development Department (EDD) in assessing specific cases where the apparent reason for disqualification for UIB was school attendance. To date, there has been no evidence to suggest that school attendance was, on its own or in conjunction with other factors, the basis for UIB ineligibility.

Among the qualifying factors for UIB is the requirement that the individual must be available for and actively seeking work. The EDD has indicated that attendance in school is not an automatic disqualification for UIB. As in all UIB determinations, there are a number of requirements, such as availability for work and active job search, that must be met in order to qualify for UIB. All factors, including school attendance, are considered when determining whether the individual can comply with the UIB requirements.

In order to facilitate UIB determinations when a GAIN registrant's attendance in school or training is a factor for consideration, the counties are encouraged to work cooperatively with the local EDD Job Services (EDD-JS) office to ensure the GAIN participant's compliance with GAIN and UIB requirements. Part of this effort would include providing EDD-JS with a clear understanding of the GAIN program and of the GAIN participants' responsibilities in the program. The Department considers GAIN participants able and available for work throughout their participation in GAIN. As part of their contract with the county, GAIN participants agree to accept any job offered unless there is a specified good cause for the job refusal.

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Assignments to remedial education can, at client's option, include concurrent job club or job search activities. Remedial education programs generally have schedules which allow the GAIN participant ample opportunities to search for work. Finally, when education or training services are not immediately available, the GAIN registrant participates in job search services. All these elements help to insure the availability of the GAIN participant for work and job search activities.

The EDD indicates that there is a specific situation in which remedial education activities may be permitted during an individual's period of eligibility for UIB. GAIN participants whose employment plan includes training and school attendance and which will be completed within one year, may be exempted from the UIB job search requirement. In these situations, the individual may qualify for the California Training Benefits (CTB) program, which provides for up to a maximum of 52 weeks of UIB. Those who do not qualify for the CTB and who must participate in GAIN remedial education activities, must be able to meet UIB job search requirements in order to maintain UIB eligibility.

As a complement to this letter, the EDD will provide instructions to field staff specific to GAIN registrants enrolled in remedial education to insure that the determination of UIB eligibility is based on an evaluation of the specific GAIN-related activities of the individual and how that affects their availability for work and job search activities.

If you have further questions please contact your GAIN County Operations Consultant.

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cc: CWDA